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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,139	07/14/2003	Eric Unger Eskey	10014489-4	8466

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EXAMINER

PELHAM, JOSEPH MOORE

ART UNIT	PAPER NUMBER
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3742

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/620,139

Applicant(s)

ESKEY, ERIC UNGER

Examiner

Joseph M Pelham

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 33 is/are allowed.
- 6) ☒ Claim(s) 34-38, 41, 43, 45-49, 52 and 54 is/are rejected.
- 7) ☒ Claim(s) 39, 40, 44, 50, 51, and 53 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

The Examiner acknowledges Applicant's submission of the amendment filed 4/19/04. Claims 33-54 are now pending.

Claim Rejections - 35 USC § 102

Claims 34-37, 41, 43, 45-48, 52, and 54 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. 4616291 to Sarnezki et al.

Referring to Fig. 1, Sarnezki et al discloses the invention as claimed, including a "non-perceivable light source" (26), reflective surfaces (32) constituting with element 28 a "light pipe" which conveys light to a "perceivable" "translucent component " (23) serving as a "user interface."

Claim Rejections - 35 USC § 103

Claims 38 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sarnezki et al in view of Japanese Patent document 11-84921 to Fukao et al

The claim differs from Sarnezki et al only in calling for fiber optic light transmission means. However, Fukao et al shows that fiber optic transmission means are known for the purpose of conveying light from a hidden, internal source to other device locations. It would have been obvious to utilize the fiber optic means of Fukao et al in the device of Sarnezki et al to allow more convenient relative placement and compactness of the light source and the illuminated component assembly, since fiber optic means may be arranged in virtually any configuration.

Allowable Subject Matter

Claim 33 is allowed.

Claims 39, 40, 44, 50, 51, and 53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 4/19/04 have been fully considered but they are not persuasive. The Examiner notes that method claim 34 corresponds to rejected apparatus claim 23 (as does new claim 45) but was erroneously indicated to be allowable. He regrets the mistake and any inconvenience.

Both of claims 34 and 45, together with the dependent claims corresponding to the dependent claims rejected in the previous Office action, are therefore rejected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph M Pelham whose telephone number is 703-308-1709. The examiner can normally be reached on M-F 7:30 AM to 4:00 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Pelham
AU 3742

A handwritten signature in black ink, appearing to read 'J. Pelham', written over a horizontal line.

**JOSEPH PELHAM
PRIMARY EXAMINER**